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 FEDERAL COMMUNICATIONS COMMISSION and
 UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

MINORITY TELEVISION PROJECT, INC.) Case No. C 06-2699 EDL

Plaintiff,)

v.)

FEDERAL COMMUNICATIONS)
 COMMISSION and UNITED STATES OF)
 AMERICA,)

Defendants.)

**STIPULATION AND [PROPOSED] ORDER
 TO MODIFY CASE MANAGEMENT AND
 PRETRIAL ORDER FOR COURT TRIAL**

1 WHEREAS, plaintiff Minority Television Project, Inc. ("Plaintiff") and the defendants,
2 the United States of America and the Federal Communications Commission (collectively
3 "Defendants") request a modification to the Case Management and Pretrial Orders for Court
4 Trial ("Pretrial Orders") issued by this Court on February 21, 2008 and last modified by order of
5 this Court on April 27, 2009;

6 WHEREAS, trial is currently set for August 17, 2009 and the pretrial conference is
7 currently set August 4, 2009 and pursuant to the Pretrial Order dated February 21, 2008, pretrial
8 papers are due twenty (20) days prior to the pretrial conference, and

9 WHEREAS, the parties argued their motions for summary judgment on June 30, 2009
10 and believe that it may be a better use of resources to conduct pretrial preparation, if necessary,
11 after the Court's ruling on the summary judgment motions;

12 The parties stipulate as follows:

- 13 • Pretrial Conference shall be held on November 17, 2009;
- 14 • Trial shall begin on December 7, 2009

15 The parties respectfully request that the Court adopt the proposed aforementioned
16 modification to the Pretrial Order.

17
18 DATED: June 30, 2009

Respectfully submitted,

19 ANDREW A. AUGUST
20 JOHN L. FITZGERALD
WALTER E. DIERCKS

21 /s Walter Diercks

22 WALTER E. DIERCKS
Attorneys for Plaintiff Minority Television Project

23 DATED: June 30, 2009

24 JOSEPH P. RUSSONIELLO
United States Attorney

25 /s Melissa K. Brown

26 MELISSA K. BROWN
27 Assistant United States Attorney
Attorneys for the Defendants

~~PROPOSED~~ ORDER

The Case Management and Pretrial Order for Court Trial ("Pretrial Order") issued by this Court on February 21, 2008 and last modified by order of this Court on April 27, 2009 shall be modified as follows:

- Pretrial Conference shall be held on November 17, 2009;
- Trial shall begin on December 7, 2009

IT IS SO ORDERED.

Dated: July 1, 2009

